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Hon. Nathaniel Parrish Conrey

*"Each has his destined time;
A span
In all the heritage of man;
'Tis virtue's part by deeds of praise
To lengthen fame through after days."*

Hon. Nathaniel Parrish Conrey

1860-1936



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HON. NATHANIEL PARRISH CONREY

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YESTERDAY afternoon a group of close friends laid away for its last sleep the tired body of Nathaniel Parrish Conrey. We knew that we should never see his like again—a man of rare qualities—learning, ability, independence and integrity.


Judge Conrey had not the gift of popularizing his name. He went his own quiet way, doing his best with love and devotion, and leaving his work and deeds as his monument. He knew when his work was done, and months before his death he declined to be a candidate for the great office which he had honored as much as it had honored him.

Judge Conrey was a sound, experienced judge. He knew that the business of a lawyer was to know the law, and that the duty of a judge was to decide the case rightly and quickly. The law's delay received scant consideration in his court. He never was willing to abandon the Constitution of the United States with its grant of powers, because his experience had taught him that Constitutional questions will never be fairly determined by political bodies or biased organizations. He had the judicial mind and could decide cases according to the law and facts, even if the point decided happened to violate every principle for which he stood. He was a firm believer in Mr. Justice Holmes' statement: "Not for free thought for those who agree with us, but freedom for the thought we hate." This is greatness.

The following tributes are from those who knew him best, yet none of us can truly express our deep affection for Judge Conrey who never "willingly planted a thorn in the breast of any man."

EDWARD D. LYMAN,
President, Los Angeles Bar Association.

November 5, 1936.



"Leave his Spirit in those who would follow him."

JUDGE NATHANIEL P. CONREY

I KNEW and had a deep affection for Judge Conrey. Our judicial careers ran parallel for years. I need not speak of his qualities of heart and head, so well known to all, but I desire to emphasize one deep and pervading quality which impressed me most profoundly. That was his conscientiousness. Of course this quality is a common one, but he had it in an uncommon degree. I think Judge Conrey was the most conscientious man I have ever known. He neither shirked nor skimmed in his work on a case. He had the scientist's desire to know the truth, and sought with the diligence of a scientist for the true solution of the problems presented to him as a judge. He always wanted to be exactly right, and he usually was right.

It has been a source of great satisfaction to me to talk over with him the judicial work, and thus to get his angle of approach to a problem and to ascertain his method of working out a solution.

He loved his work and enjoyed every moment of it. However, politics was a nightmare to him. After each election he would say,—"never again." And yet he lived to see the method of election of Judges change from party nomination and election to the method by which a judicial candidate in the higher court runs on his record, and in a sense, against his record. On this new system, had Judge Conrey's health not failed, he was certain of an almost unanimous endorsement for the Supreme Court of the State at the election which occurred the day after his death.

I have had intimate knowledge of Judge Conrey's political experiences in his judicial career, and I know how greatly he rejoiced in the changed system.

Others will write of Judge Conrey's judicial work, his legal ability, his kindness, his humility, but perhaps few remember that as City Attorney of Pasadena he was instrumental in securing a decision of the Supreme Court of California holding that the Constitution of 1879 granted full police power to municipalities to control or prohibit the liquor traffic. (Art. II, Sec. 11) *Ex parte Campbell*, 74 Cal. 20. This was one of his comparatively early contributions to the development of the constitutional law of California and a noteworthy one.

May his example stimulate others to follow in the strait and narrow way which limits the life of an upright judge.

CURTIS D. WILBUR,

Judge of the U. S. Circuit Court of Appeals.

TRIBUTE BY HONORABLE WILLIAM H. WASTE, CHIEF JUSTICE OF THE
SUPREME COURT OF THE STATE OF CALIFORNIA

ALTHOUGH Judge Conrey's term of service with the Supreme Court was short, his work was of the particularly high order which has always characterized his judicial efforts. In his work with his associates he was pleasant and congenial, and, in the close associations that are engendered by the work of the justices of the high court, he was cordial, helpful and inspiring.

Mr. Justice Conrey had all the characteristics of an ideal judicial officer. He was learned in the law, possessed of a keen insight into human nature, bold in sustaining decisions once arrived at, and an indefatigable worker. He was a clear-headed thinker; his feet were always on the ground. With these accomplishments he coupled a keen sense of humor, and his whole temperament was so balanced that he never appeared disconcerted or distressed by the circumstances surrounding him.

It was in the close circle of his intimate friends that Mr. Justice Conrey came to be best known. He was kindly, considerate, well-read and a charming conversationalist. Of him it may be said, "To know him was to love him."

Failing health, brought about by a serious fall about a year ago, led him to decline to be a candidate to succeed himself at the election. His letter to the Governor declining to be a candidate was a beautiful expression of his appreciation of the honors that had come to him during his long judicial career. His passing the day before he would otherwise have been nominated to retain his position on the high court in which his judicial labors culminated, seems almost prophetic. The State of California has lost a most devoted servant.

WILLIAM H. WASTE,
Chief Justice of the Supreme Court of California

**"MY ASSOCIATION WITH JUSTICE NATHANIEL P. CONREY ON THE
DISTRICT COURT OF APPEAL"**

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IN the hurrying stream of modern life when a good man drops from the ranks too little attention as a rule is paid to his passing. So when the opportunity is offered for old friends to express publicly their tribute of respect and sorrow, it is welcomed. Aside from having known Justice Conrey for more than forty years, I served with him for approximately eighteen years on the two courts of which he was a member before he was advanced to the office of Associate Justice of the Supreme Court of the State. Nathaniel P. Conrey possessed in a large measure the judicial mind; being always able to approach questions with a detachment of thought that left out of view all preconceived prejudice or partiality. He was of quiet disposition and courteous at all times; ready to concede to others the right to their own opinion, as well as to willingly give fullest consideration to different views of his associates. He was always industrious at his work, the product of which was uniformly the expression of legal logic. To his old friends the saying of the last farewell comes as a sad act indeed. We will remember him as an able jurist, but like best to think of him as a man of human kindness, a lovable character, and a loyal friend.

WILLIAM P. JAMES.
Judge, U. S. District Court.



THE RECORD OF THE HONORABLE N. P. CONREY AS JUDGE OF THE SUPERIOR COURT

JUDGE CONREY was appointed to the Superior Court by Governor Henry T. Gage, and took the oath of office on December 28, 1900. He was elected for a full term on November 4, 1902, reelected on November 3, 1908, and served as Judge of the Superior Court until his appointment by Governor Hiram Johnson as Presiding Justice of the District Court of Appeal of the Second Appellate District, on October 18, 1913, to fill the vacancy caused by the death of the Honorable Matthew T. Allen.

Judge Conrey was a Republican, but a forward looking one. In 1908 he supported the progressive movement in California in the Republican party, and was renominated by the Republican convention at the Shrine Auditorium in that year over the opposition of the so-called regular Republican organization, but with the support of individual members of both elements of the party.

During the year from May 1, 1907 to April 30, 1908, he served as Presiding Judge, and as such impanelled the grand jury for that year. The rules of court at that time provided that all indictments brought by the grand jury were triable in the department of the Presiding Judge, and all indictments brought that year were tried by him, among these being indictments of a large number of persons for false registration in Ocean Park. Other than this his time in the Superior Court was devoted to civil cases. His entire incumbency was spent as Judge of Department 5, except for approximately three months when he exchanged departments with Honorable George A. Gibbs. For more than eight years of this period Judge Conrey's clerk was Harry B. Blakeley, who is still in the service of the court as its secretary, and to whom credit is due for the greater part of the data used in this sketch.

Judge Conrey was a fast and logical thinker, who, as a judge, followed his practice as a lawyer in thoroughly analyzing the cases which came before him. He was able, by previous study of the cases, to follow the line of argument of counsel on the law and to rule promptly upon objections when made. He was always prompt in opening court, but not always prompt in closing if advantage would accrue from overtime sessions. Always courteous and kindly, his rulings were based solely upon the law as he saw it; he never acted upon considerations of mere expediency. He was recognized as one of the ablest jurists on the bench and his appointment to the District Court of Appeal was universally approved by the bar and the laity as a deserved promotion.

HARTLEY SHAW,
EMMET H. WILSON,

Judges of the Superior Court of Los Angeles County.

WHAT THE AMERICAN BAR ASSOCIATION ADMIRES IN A JUDGE AND FOUND IN THE HONORABLE NATHANIEL P. CONREY

IN the Constitution of the American Bar Association one of its stated objects is "to promote the administration of justice." This can be most surely accomplished through the just, equitable and impartial exercise of judicial powers.

Since the establishment of a government by law it has been demanded that a Judge should be just and impartial, learned in the law, and of strong character. The problem arising through increase in population and changes in the social order have added further obligations, which are set forth in Section 34 of the Canons of Judicial Ethics of the American Bar Association as follows:

"In every particular his (the Judge's) conduct should be above reproach; he should be conscientious, studious, thorough, courteous, patient, punctual, just, impartial, fearless of public clamor, regardless of public praise, and indifferent to private, political or partisan influences; he should administer justice according to law and deal with his appointment as a public trust. He should not allow other affairs or his private interests to interfere with the prompt and proper performance of his judicial duties, nor should he administer the office for the purpose of advancing his personal ambitions or increasing his popularity."

While this is unquestionably a large catalogue of virtues, nevertheless the Honorable Nathaniel P. Conrey possessed each and every one of them. He further felt it to be his patriotic duty and solemn obligation to aid, in so far as humanly possible, in the maintenance of the confidence of the people in their courts, which cannot be better accomplished than by giving to judicial service, without stint or curtailment, not only untiring industry, not only unflinching honesty, not only unselfish motives, not only courageous performance of duty, but also the best efforts of all the intellectual power at his command.

His unflinching honesty was not honesty merely in a property sense, but intellectual honesty; not honesty of purpose only but rather a conviction that a conclusion should not be reached nor a judgment pronounced until every phase of the facts in the matter and every principle of law having application to those facts had been industriously investigated.

Judge Conrey possessed to a marked degree the qualities of courtesy and patience, particularly toward the younger members of the Bar who needed just such encouragement and assistance. His judicial career encourages to new effort and greater achievement. Knowledge of the law and the principles of equity has been increased through his devotion to his duties, and his example of intelligent, unselfish, self-effacing and courageous service should inspire those who follow with the same desire to serve, the same purpose to accomplish.

The Honorable Nathaniel P. Conrey was a credit to the bench. He possessed the mental and moral requirements of his position to a marked degree. His career is worthy of emulation.

GUERNEY E. NEWLIN,

Past President of American Bar Association.

WHAT THE STATE BAR ADMIRES IN A JUDGE AND FOUND IN HONORABLE NATHANIEL P. CONREY

MY first case in the Superior Court was tried before the late Justice Nathaniel P. Conrey, who was then a judge of the Superior Court in Los Angeles County. That early experience impressed me with two notable characteristics possessed by Justice Conrey, his kindliness, for I was in need of it, and his patience. My arguments were listened to with the same respectful attention that would have been given to those of a distinguished practitioner of thirty years standing at the bar. In fact he possessed all of those attributes which lawyers admire in a trial judge. Not only did he have learning in the law and quickness of perception, but he was that *rara avis*, even among those who grace our bench, one who possessed that intangible attribute known as judicial temperament. Its possession differentiates the many good trial judges from the few great ones.

Justice Conrey's career as Presiding Justice of the District Court of Appeal, and as a Justice of the California Supreme Court, gained him the admiration not only of the bar of the entire state, but of the informed members of the public as well. His opinions require no interpretation. The clearness of his thought and the lucidity of his English obviate that.

Another trait in a judge admired by the members of the State Bar and found in Justice Conrey was his loyalty to his profession and his ideals as to the relationship between the lawyer and the court. His thought can best be told in his own words. In one of his recent decisions, *Roark vs. State Bar*, 91 Cal. Dec., 479, he said:

"The license to practice law as an attorney and counselor is a certificate of good moral character. It is a representation by the court, speaking as of the date of the license, that the licensee is a trustworthy person who reasonably may be expected to act fairly and honestly in the practice of his profession. Thereafter, in the absence of proof to the contrary, the original representation exists as a continuing presumption. The relations between courts and counsel are and must be those of confidence, and not of suspicion. But when charges of misconduct have been made and proved in a disbarment proceeding, the original representation has fallen, and with it the presumption becomes dust and ashes."

He reviewed the evidence and concluded with a devastating sentence: "The petitioner has disbarred himself."

His passing was a distinct loss to the state. So many times the inspiration, thought and learning of great lawyers die with them, or are locked within the minds and hearts of those who knew them. How fortunate is posterity that the vigor of the intellect of Justice Conrey is preserved for all time in the printed volumes of the reports of California's appellate courts.

ALFRED L. BARTLETT,

President of State Bar of California.

**"OUR DISTINGUISHED JUSTICE NATHANIEL P. CONREY ALWAYS
HELPED THE COUNTY LAW LIBRARIAN"**

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OUR distinguished Justice, Nathaniel P. Conrey, by reason of his studious nature, as well as his collegiate training, naturally evidenced an early interest in the County Law Library. It was soon after his appointment to the bench of the Superior Court of Los Angeles County that, upon the election of Judge M. T. Allen of that Court to the District Court of Appeal, Judge Conrey was elected to the Board of Law Library Trustees of Los Angeles County Law Library—on May 2nd, 1905—which Board at that time was composed of the following named gentlemen, viz: Judge D. K. Trask, Judge Jas. A. Gibson, Judge N. P. Conrey, Judge Waldo M. York and O. W. Longdon, Chairman of the Board of Supervisors.

The Minutes of the Law Library, during those years, reveal the constant attendance and interest of Judge Conrey in that Institution. On February 5, 1907 the Judge was elected President of the Board of Law Library Trustees and it is interesting to note that at that time there were 16,000 volumes in the Library and approximately \$6,000 in the Law Library Fund. The members of the Board at that time were: Judge N. P. Conrey, President, Judge Curtis D. Wilbur, Judge B. N. Smith, Judge James A. Gibson and Supervisor Patterson. Judge Conrey continued to serve as President of the Board of Law Library Trustees until his appointment to the bench of the District Court of Appeal for the 2nd District, in November, 1913. During this period of eight years he continued to evidence his interest in the Law Library, seldom being absent from its meetings, and had the satisfaction, when leaving the Library Board, of knowing that it contained 30,000 volumes of carefully selected law books.

The interest which he held in the development of the Library did not cease upon his retirement from the Board of Trustees. After his appointment to the Supreme bench of the State, he seldom failed, when in Los Angeles, to call at the Library and inquire concerning its progress and welfare.

This was but one of the many interests which our friend and Justice held in the development of our City and County and for which he will be long and kindly remembered.

T. W. ROBINSON, Librarian,
(Los Angeles County Law Library)

**THE HIGH ESTEEM IN WHICH MEMBERS OF THE BAR OF CALIFORNIA
HELD JUSTICE NATHANIEL P. CONREY**

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THERE has been no lawyer in Los Angeles County in the last generation who has more fully enjoyed the confidence and esteem of the members of the Bar than has the Honorable Nathaniel P. Conrey.

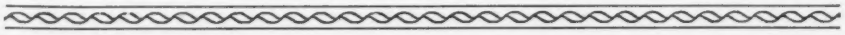
For the last forty years of his life, he held public office, and thirty-six years of this time was spent upon the bench, either of Los Angeles County, or of the Appellate or Supreme Courts of the State of California.

Judge Conrey was exceedingly modest and retiring, and in no way aggressive for himself, but the lawyers of this County have at all times recognized his peculiar fitness for the bench, his judicial temperament, and his innate courage and intellectual ability, and have, of their own accord, seen to it that Judge Conrey held and retained the various judicial positions which he enjoyed during his life.

There has at all times been a deep affection and respect for Judge Conrey on the part of the Bar, because of the qualities which he so outstandingly possessed, and the Bar took pleasure in aiding to secure for him the honors which they felt he so richly deserved.

Judge Conrey's life and achievements are a remarkable example of the success of a man by virtue of the confidence and esteem which he instilled in others without any effort upon his part to secure preferment for himself.

JEFFERSON P. CHANDLER.



HONORABLE NATHANIEL P. CONREY AS A GOOD CITIZEN

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HE thoroughly understood that purity of professional ethics, both at the bench and at the bar, were of more consequence than all the mental agility that some modern athletes and gymnasts display in their vocational activities.

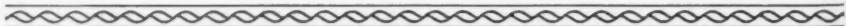
Therefore, no one was ever known to have a "row" in Judge Conrey's courtroom. No lawyer or attache ever saw him lower his sights to get into a vocal altercation with counsel. The urbanity of his manner, the firmness of his position, the deference (so rare today in some courts) that he invariably paid to counsel, were impenetrable deterrents against disturbing the amenities which should exist in every court.

When he retired from active trial work to the comparative seclusion of his appellate court duties, he nevertheless, through his opinions written in simple but classic diction, constantly showed his profound knowledge of legal principles, his indifference to his own personal and political fortunes when his views would run counter to the sidewalk or the market place.

He has left enrolled in the appellate reports of California for the students of today and countless generations in the future a record of faithful and conscientious interpretations of the law as he saw it, and an abiding courage to do even-handed justice through judicial judgments.

May the good Lord rest his sterling soul in His everlasting arms.

JOSEPH SCOTT.



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